

**WOODSTOCK PLANNING & ZONING COMMISSION  
REGULAR MONTHLY MEETING  
THURSDAY, APRIL 16, 2015 AT 7:30 PM  
WOODSTOCK TOWN HALL, MEETING ROOM 1**

**I. MONTHLY MEETING AT 7:30 PM**

- a. Call to Order – Meeting was called to order by Chair, Jeff Gordon at 7:34p.m. Noted that there is a quorum.
- b. Roll Call – Jeff Gordon, Dorothy Durst, John Anastasi, Joe Adiletta, Joseph Adiletta, Ken Ebbitt, Gail Dickinson, Fred Rich, Dexter Young, Delia Fey, Laura Cournoyer-Gagne
- c. Absent – Travis Sirrine, Doug Porter

**II. DESIGNATION OF ALTERNATES – Ken Ebbitt**

**III. CHAIR'S REPORT** – Chair Jeff Gordon informed that Ken Ebbitt and Duane Frederick have been appointed as Alternates by the Board of Selectmen. Thanks to John Anastasi for covering the February meeting and to everyone for all their hard work. Announced that Gail Dickinson has received an award from the CT Federation of Planning and Zoning Agencies for devoted service to the PZC for 12 years of service. Dexter Young is close to 25 years of service.

**IV. MINUTES**

- a. Special Meeting Minutes of March 12, 2015
- b. Regular Meeting Minutes of March 19, 2015 -
- c. Special Meeting Minutes of April 2, 2015 –Pending

**MOTION TO APPROVE MEETING MINUTES AS PRESENTED FOR MARCH 12<sup>TH</sup> AND MARCH 19<sup>TH</sup> MADE BY J. ADILETTA, SECONDED BY D. YOUNG. Change for minutes on 3/19, that D. Porter had recused himself a second time. MOTION PASSED with change noted.**

**V. CITIZENS' COMMENTS – NONE**

**MOTION TO MOVE UP TO ITEM 13 MADE BY G. DICKINSON, SECONDED BY J. ANASTASI  
MOTION PASSED.**

**VI. RESOLUTION TO CREATE AN ADMINISTRATIVE POLICY ABOUT FILING DEADLINES FOR APPLICATIONS TO THE PZC.** This was discussed at length with the Town Attorney and will be posted on the website, as a regulation to administrative policy. It will also be posted in the paper. **MOTION TO TABLE THIS ITEM UNTIL AFTER PUBLIC HEARING MADE BY G. DICKINSON, SECONDED BY D. DURST. MOTION PASSED.**

**VII. PUBLIC HEARING**

**623-12-14 Thomas & Joy Beatty, New Sweden Rd (Map 5783, Block 69, Lot 3-1) – 2- lot subdivision.** J. Gordon noted that he was not at the last meeting, but did listen to the recording so is able to participate. G. Dickinson & S. Blodgett, & K. Ebbitt recused themselves from this item. However, waiver requests require more commissioners for a vote. Note that D. Fey stepped out for a moment. Additional documents received: email from D. Fey to town attny 4/7/15, Attny letter 4/10/15, Platt Assoc 4/8/15, Conservation letter 3/23/15. Letter from Town Attorney not given to applicant, **MOTION TO GIVE COPY OF LETTER TO APPLICANT MADE BY D. YOUNG, SECONDED BY J. ADILETTA. MOTION PASSED.** Copy given to applicant. Appraisal came in at \$80,000.00, 10% would \$8,000.00. One waiver request for homeowner's association. Noted that letter from KWP Assoc, dated 4/16/15, is a waiver request on behalf of applicant regarding the MAI appraisal of property. Note: no discussion on this matter. D. Durst concern on sediment control and is there a bond. D. Fey

confirmed that there is a bond for sediment control. **MOTION TO CLOSE PUBLIC HEARING MADE BY J. ADILETTA, SECONDED BY J. ANASTASI. MOTION PASSED.**

**VIII. NEW BUSINESS - NONE**

**IX. PRELIMINARY DISCUSSION**

**Yankee Sales and Service, 540 Route 171 – Preliminary proposal for retail and repair of lawn and garden equipment.** This is not an application, nonbinding, no voting. D. Fey: this property has been used as a business for many years, up to commission to determine if non-residential or special permit is needed. Theresa Neely, daughter-in-law of Calvin Neely : Note from Calvin Neely, read by J. Gordon, stated that Calvin would be relocating the majority of his business if this went forward, and that his current location would be used in a limited capacity. G. Dickinson: how much oil and toxic waste would be generated from this? Answer: perhaps 4-5 gal per day, use of a storage container. D. Fey: Fire Marshal would address disposal of oil, toxic waste. Kathy Langer: building use for retail to sell wood stoves prior to her ownership. J. Gordon: Nonresidential zoning permit seems to be the norm for this property. K. Langer: this business in Woodstock for 40+ yrs. Happy to have them purchase the property.

**X. OLD BUSINESS**

**623-12-14 Thomas & Joy Beatty, New Sweden Rd (Map 5783, Block 69, Lot 3-1) – 2- lot subdivision.** Post public hearing discussion: K. Ebbitt, G. Dickinson to rejoin this item to vote on the waiver, but not the application. **MOTION TO APPROVE APPLICATION MADE BY D. DURST, SECONDED BY J. ADILETTA.** Discussion: take items in sequence : waiver for homeowners association and MAI approval. **MOTION TO APPROVE WAIVER REQUEST MADE BY J. ADILETTA, SECONDED BY J. ANASTASI.** Note: 5 requirements need to be met before vote. J. Gordon read all requirements and no objections noted by commission. **MOTION PASSED. WAIVER REQUEST GRANTED. 2<sup>nd</sup> Request: MOTION TO APPROVE HOMEOWNER'S ASSOCIATION WAIVER REQUEST MADE BY J. ADILETTA, SECONDED BY F. RICH. CONDITIONS READ BY J. GORDON, no objections. MOTION PASSED.** G. Dickinson & K. Ebbitt recused from 3<sup>rd</sup> request. 3<sup>RD</sup> Request: **MOTION TO APPROVE FEE IN LIEU PROPOSAL MADE BY J. ADILETTA, SECONDED BY D. DURST. Fee in lieu of open space requirement and dollar amount of \$8000.00. MOTION PASSED. MOTION, AS AMENDED, TO APPROVE APPLICATION AS PRESENTED WITH 2 WAIVER REQUESTS ALREADY NOTED AND ACCEPTANCE OF \$8000.00 FEE IN LIEU OF OPEN SPACE REQUIREMENT. MOTION PASSED.**

Standard stipulations read by D. Durst:

“Standard stipulations of the Woodstock Planning and Zoning Commission for Subdivisions:

1. In evaluating the subdivision application, the Planning and Zoning Commission has relied upon information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete or inaccurate, this subdivision approval shall be modified, suspended or revoked.
2. The final subdivision plans are to be signed and stamped (ink and impression) by the Professional Engineer, Land Surveyor and Landscape Architect.
3. The Applicant shall provide all legal documents for the following, as applies, to the Commission for review and approval. Each such document shall be executed by the subdivision in the approved form prior to endorsement of the subdivision mylar by the Chairman.
  - a. Conservation Easements
  - b. Common Driveways
  - c. Public Road Widening
  - d. Fire Protection Easements
  - e. Drainage Easements

f. Text for Homeowner's Association / Articles of Incorporation.

4. The applicant shall comply with the requirements of Connecticut General Statutes Section 8-25 regarding the filing and recording of the subdivision plans.
5. Any person, firm or corporation selling or offering any subdivided lot for sale prior to the filing and recording of the endorsed final subdivision mylar and prior to the satisfaction of all conditions of subdivision approval, shall be fined not more than five hundred dollars (\$500) for each lot sold or offered for sale, per CGS 8-25 or as the statute may be amended.
6. No subdivision plan shall be presented for recording or filing to the town clerk or other officer authorized to record or file plans until its approval has been endorsed thereon by the Chairman or Secretary of the Commission, and the filing or recording of a subdivision plan without such approval shall be void.
7. Fire suppression systems/methods shall be installed and confirmed by the ZEO before a Certificate of Occupancy can be issued.
8. The plans submitted to the Commission and duly approved shall closely reflect the actual position of the structures to be built on each lot.
9. Bonding requirements: Must be posted before the mylars can be signed.

The subdivision bonds shall be set by the Commission. They shall be in the amounts proposed in the Applicant or an amount recommended by the Commission's consulting engineer, whichever shall be less.

- a. The subdivision bond shall be in the amount of \$ \_\_\_\_\_
- b. The Erosion and Sediment Control Bond shall be in the amount of \$ 4500.00 \_\_\_\_\_
- c. If required, the Landscaping Bond shall be in the amount of \$ \_\_\_\_\_
- d. The Public Improvements Bond shall be set in the amount of \$ \_\_\_\_\_

Stipulations/Conditions suggested by the Fire Marshal:

- a. All stipulations recommended by the Fire Marshall have been integrated into the Formal Application ( )
- b. The following stipulations shall be required:

Stipulations/Conditions suggested by the Highway Foreman:

- a. All stipulations recommended by the Highway Foreman have been integrated into the Formal Application ( )
- b. The following stipulations shall be required:

Conditions warranted by the particulars of the Application:

Fee in lieu of Open Space : concept approved

Upon determining the above stipulations to be necessary, the Woodstock Planning and Zoning Commission hereby requires their inclusion in the approval of this subdivision application.

K. Ebbitt and G. Dickinson rejoined meeting.

## **XI. ZEO REPORT**

- a. Report on Zoning Enforcement – March/April 2015
- b. Report on Zoning Permits – March /April 2015  
6 Lyon Rd. – no response from letter sent by Town Attorney. Approval needed by Commission for Attorney to go forward, as cost could be from \$500.00 up to \$2500.00.  
MOTION TO AUTHORIZE TOWN ATTORNEY TO GO FORWARD WITH NEXT LEGAL STEP MADE BY J. ADILETTA, SECONDED BY G. DICKINSON. MOTION PASSED. D. Durst: perhaps advise Board of Selectmen that if fine ordinance in place, possibly save money for the town.  
1374 Rte 171 – 2 yr. tenant has complained about various things, supposed to be a 3 bdrm single family home, but has 3 tenants renting. Notice of violation sent to owner, and he property owner came in to explain situation. Requested inspection, went with T.

Bellman to walk through all 3 dwellings - no permits on file for any of the dwellings. Will have to work with Attorney to get wording for next letter. Owner living on property, tenants do not have a lease, so a cease and desist order has to be done.  
270 E. Quasset Rd – going into foreclosure, but listed as having possible in-law apartment, called realtor who listed and inquired as to why since no permit on file. Made appointment to inspect, realtor cancelled appointment, owner allowed inspection. Once inspected, informed by letter to owner and realtor that not enough land to have apartment on property. Issue should be resolved.  
10 Oak Hill Lane – enforcement letters sent out to property owner, no response, has since been foreclosed on and now owned by bank. Realtor for that property came in to discuss, requested to walk the property, and can see that an addition done over the garage, was formerly used as apartment and no permits had been issued. Variety of other things on the property that didn't have permits, will keep in touch with the bank.

**XII. BUDGET REVIEW AND BILLS**

- a. Bills – None
- b. Budget Review – None

**XIII. CITIZENS' COMMENTS - NONE**

**XIV. RESOLUTION TO CREATE AN ADMINISTRATIVE POLICY ABOUT FILING DEADLINES FOR APPLICATIONS TO THE PZC MOTION TO APPROVE MADE BY G. DICKINSON, SECONDED BY D. YOUNG. MOTION PASSED.**

**XV. CORRESPONDENCE**

- a. Public Hearing Notice, Town of Dudley, MA, April 22<sup>nd</sup>. @ 7:05 pm, Bertin Engineering, Special Permit for large ground mounted solar PV Install in residential district.
- b. CT Planning Magazine article, winter 2015, "From the Bench", re: Variances, nonconformities

**XVI. MINUTES OF OTHER BOARDS AND COMMISSIONS**

**XVII. OTHER**

**XVIII. ADJOURNMENT**

**MOTION TO ADJOURN MADE BY F. RICH, SECONDED BY J. ANASTASI. MOTION PASSED.  
MEETING ADJOURNED 9:04 P.M.**

Respectfully submitted,

Laura Cournoyer-Gagne, Recording Secretary

**DISCLAIMER:**

***These minutes have not yet been approved by the Planning & Zoning Commission. Please refer to next month's minutes for approval/amendments. Please note that the audio recording is the legal record of the meeting.***